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Attorney Docket P3330R1C1
PATENT

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December 19, 2001: Date of Deposit

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BOX PATENT APPLICATION

Assistant Commissioner of Patents
Washington, D.C. 20231

NON-PROVISIONAL APPLICATION TRANSMITTAL UNDER 37 CFR 1.53(b)

Transmitted herewith for filing is a non-provisional patent application:

Inventor(s) (or Application "Identifier"):

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Zemin Zhang, Foster City, California

Title: SECRETED AND TRANSMEMBRANE POLYPEPTIDES AND NUCLEIC
ACIDS ENCODING THE SAME

1. Type of Application

[] This application is for an original, non-provisional application.

[] This is a non-provisional application claiming priority to provisional application no. __, filed __, the entire disclosure of which is hereby incorporated by reference.

[X] This is a [] continuation-in-part [X] continuation [] divisional application claiming priority to the following application Serial Numbers: 60/049911 Filed 6/18/97; 60/056974 Filed 8/26/97; 60/059113 Filed 9/17/97; 60/059115 Filed 9/17/97; 60/059117 Filed 9/17/97; 60/059122 Filed 9/17/97; 60/059184 Filed 9/17/97; 60/059263 Filed 9/18/97; 60/059352 Filed 9/19/97; 60/059588 Filed 9/19/97;

60/059836 Filed 9/24/97; 60/062250 Filed 10/17/97; 60/062285 Filed 10/17/97;
 60/062287 Filed 10/17/97; 60/062814 Filed 10/24/97; 60/062816 Filed 10/24/97;
 60/063045 Filed 10/24/97; 60/063082 Filed 10/31/97; 60/063127 Filed 10/24/97;
 60/063327 Filed 10/27/97; 60/063329 Filed 10/27/97; 60/063550 Filed 10/28/97;
 60/063561 Filed 10/28/97; 60/063704 Filed 10/29/97; 60/063733 Filed 10/29/97;
 60/063735 Filed 10/29/97; 60/063738 Filed 10/29/97; 60/063755 Filed 10/17/97;
 60/064248 Filed 11/3/97; 60/064809 Filed 11/7/97; 60/065186 Filed 11/12/97;
 60/065846 Filed 11/17/97; 60/066364 Filed 11/21/97; 60/066453 Filed 11/24/97;
 60/066511 Filed 11/24/97; 60/066770 Filed 11/24/97; 60/069212 Filed 12/11/97;
 60/069278 Filed 12/11/97; 60/069334 Filed 12/11/97; 60/069694 Filed 12/16/97;
 60/072320 Filed 1/23/98; 60/073612 Filed 2/4/98; 60/074086 Filed 2/9/98;
 60/074092 Filed 2/9/98; 60/077791 Filed 3/12/98; 60/078910 Filed 3/20/98;
 60/079294 Filed 3/25/98; 60/079663 Filed 3/27/98; 60/079728 Filed 3/27/98;
 60/080165 Filed 3/31/98; 60/081203 Filed 4/9/98; 60/081229 Filed 4/9/98;
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 5/13/98; 60/085579 Filed 5/15/98; 60/085697 Filed 5/15/98; 60/085704
 Filed 5/15/98; 60/086414 Filed 5/22/98; 60/086430 Filed 5/22/98; 60/087106 Filed
 5/28/98; 60/088026 Filed 6/4/98; 60/088730 Filed 6/10/98; 60/088741 Filed 6/10/98;
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 60/090349 Filed 6/23/98; 60/090429 Filed 6/24/98; 60/090445 Filed 6/24/98;
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 60/091519 Filed 7/2/98; 60/091982 Filed 7/7/98; 60/093339 Filed 7/20/98;
 60/094651 Filed 7/30/98; 60/095285 Filed 8/4/98; 60/095301 Filed 8/4/98;
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 60/158663 Filed 10/8/99; 60/160406 Filed 10/19/99; 60/162506 Filed 10/29/99;
 60/166365 Filed 11/16/99; 60/213637 Filed 6/23/00; 60/230978 Filed 9/7/00;
 08/878168 Filed 6/18/97; 08/918874 Filed 8/26/97, now ABD; 08/933821 Filed
 9/19/97, now U.S. 5,972,338 issued 10/26/99; 08/934494 Filed 9/19/97, now U.S.
 6,030,831 issued 2/29/00; 08/960507 Filed 10/29/97, now U.S. 6,057,435 issued
 5/2/00; 09/040220 Filed 3/17/98; 09/096500 Filed 6/12/98; 09/105413 Filed 6/26/98;
 09/114844 Filed 7/14/98; 09/136801 Filed 8/19/98; 09/136804 Filed 8/19/98, now
 ABD; 09/136828 Filed 8/19/98; 09/143068 Filed 8/28/98, now U.S. 6,074,873 issued
 6/13/00; 09/143158 Filed 8/28/98, now ABD; 09/143707 Filed 8/28/98; 09/168978
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 09/182562 Filed 10/29/98; 09/184216 Filed 11/2/98, now ABD; 09/202054 Filed
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 7/30/01; 09/924419 Filed 8/6/01; 09/927796 Filed 8/9/01; 09/929404 Filed 8/13/01;
 09/931836 Filed 8/16/01; PCT/US98/12456 Filed 6/12/98; PCT/US98/14552 Filed
 7/14/98; PCT/US98/17888 Filed 8/28/98; PCT/US98/18824 Filed 9/10/98, now
 ABD; PCT/US98/19093 Filed 9/14/98; PCT/US98/19094 Filed 9/14/98;
 PCT/US98/19177 Filed 9/14/98, now ABD; PCT/US98/19330 Filed 9/16/98;
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 PCT/US99/05028 Filed 3/8/99; PCT/US99/05190 Filed 3/10/99; PCT/US99/08615
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 PCT/US99/20111 Filed 9/1/99; PCT/US99/20594 Filed 9/8/99; PCT/US99/20944
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 PCT/US99/28564 Filed 12/2/99, now ABD; PCT/US99/28565 Filed 12/2/99;
 PCT/US99/28634 Filed 12/1/99; PCT/US99/30095 Filed 12/16/99;
 PCT/US99/30911 Filed 12/20/99, now ABD; PCT/US99/30999 Filed 12/20/99;
 PCT/US99/31243 Filed 12/30/99, now ABD; PCT/US99/31274 Filed 12/30/99;
 PCT/US99/00106 Filed 1/5/99, now ABD; PCT/US00/00219 Filed 1/5/00, now
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 PCT/US00/03565 Filed 2/11/00; PCT/US00/04341 Filed 2/18/00; PCT/US00/04342
 Filed 2/18/00; PCT/US00/04414 Filed 2/22/00; PCT/US00/04914 Filed 2/24/00, now
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 Filed 3/10/99, now ABD; PCT/US00/06884 Filed 3/15/00; PCT/US00/08439 Filed
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 6/20/01; PCT/US01/20116 Filed 6/22/01; PCT/US01/21066 Filed 6/29/01;
 PCT/US01/21735 Filed 7/9/01, the entire disclosures of which are hereby incorporated
 by reference.

2. **Papers Enclosed Which Are Required For Filing Date Under 37 CFR 1.53(b)**
(Non-provisional)

135 pages of specification
28 pages of claims
1 page(s) of abstract
550 sheet(s) of drawings
☒ formal ☐ informal

3. Declaration or Oath

(for new and CIP applications; also for Cont./Div. where inventor(s) are being added)
☒ An executed declaration of the inventor(s) [X] is enclosed ☐ will follow.

(for Cont./Div. where inventorship is the same or inventor(s) being deleted)
☐ A copy of the executed declaration/oath filed in the prior application is enclosed (37 CFR 1.63(d)).

(for Cont./Div. where inventor(s) being deleted)
☐ A signed statement is attached deleting inventor(s) named in the prior application (see 37 CFR 1.63(d)(2) and 1.33(b)).

4. Assignment

(for new and CIP applications)
☒ An Assignment of the invention to GENENTECH, INC. [X] is enclosed with attached Recordation Form Cover Sheet ☐ will follow.

(for cont./div.)
☐ The prior application is assigned of record to Genentech, Inc.

5. Amendments (for continuation and divisional applications)

☐ Cancel in this application original claims __ of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

☒ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)

6. Fee Calculation (37 CFR 1.16)

The fee has been calculated as follows:

CLAIMS FOR FEE CALCULATION					
Number Filed		Number Extra		Rate	Basic Fee 37 CFR 1.16(a)
					\$740.00
Total Claims	71	- 20 =	51	X \$18.00	\$918.00
Independent Claims	34	- 3 =	31	X \$80.00	\$2,480.00
— Multiple dependent claim(s), if any				+ \$270.00	\$0.00
Filing Fee Calculation					\$4,138.00

7. Method of Payment of Fees

The Commissioner is hereby authorized to charge Deposit Account No. 07-0630 in the amount of \$4,138.00. **A duplicate copy of this transmittal is enclosed.**

8. Authorization to Charge Additional Fees

The Commissioner is hereby authorized to charge any additional fees required under 37 CFR §1.16 and 1.17, or credit overpayment to Deposit Account No. 07-0630. **A duplicate copy of this sheet is enclosed.**

9. Additional Papers Enclosed

- ☐ Information Disclosure Statement (37 CFR §1.98) w/ PTO-1449 and citations
- ☒ Submission of "Sequence Listing", computer readable copy, certificate re: sequence listing, and/or amendment pertaining thereto for biological invention containing nucleotide and/or amino acid sequence.
- ☐ A new Power of Attorney or authorization of agent.
- ☒ Other: Post card.

10. Maintenance of Copendency of Prior Application (for continuation and divisional applications)

*[This item **must** be completed and the necessary papers filed in the prior application if the period set in the prior application has run]*

- _____ A petition, fee and/or response has been filed to extend the term in the pending prior application until
- _____ A copy of the petition for extension of time in the **prior** application is attached.

11. Correspondence Address:


X Address all future communications to:

Attn: Ginger R. Dreger
Registration No. 33,055, Customer No. 30,313
Knobbe Martens Olson & Bear, LLP
201 California Street, Suite 1150
San Francisco, California 94111-3335

Respectfully submitted,
GENENTECH, INC.

Date: December 19, 2001

By:


Elizabeth M. Barnes, Ph.D.
Reg. No. 35,059
Telephone No. (650) 225-4563



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PATENT TRADEMARK OFFICE

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

<p>In re Application of Kevin P. Baker, et al. Serial No.: Unknown, filed herewith</p>	<p>Group Art Unit: Unknown Examiner: Unknown</p>
<p>Filed: December 19, 2001 For: <i>SECRETED AND TRANSMEMBRANE POLYPEPTIDES AND NUCLEIC ACIDS ENCODING THE SAME</i></p>	<p>Express Mail No: EL 895 375 498 US Mailed: December 19, 2001</p>

CERTIFICATE RE: SEQUENCE LISTING

RESPONSE UNDER 37 CFR § 1.821(f) and (g)

Box: Patent Application
Assistant Commissioner of Patents
Washington, D.C. 20231

Sir:

I hereby state that the Sequence Listing submitted herewith is submitted in paper copy and a computer-readable diskette, and that the information recorded in computer readable form is identical to the written sequence listing. I further state that this submission includes no new matter.

Respectfully submitted,

GENENTECH, INC.

By:

Elizabeth M. Barnes

Elizabeth M. Barnes, Ph.D.

Reg. No. 35,059

Telephone No. (650) 225-4563

Date: December 18, 2001



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PATENT TRADEMARK OFFICE